APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/417,864	10/13/1999	LOA ANDERSSON	2204/189	8056

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EXAMINER
GEORGE, KEITH M

ART UNIT	PAPER NUMBER
2663	

DATE MAILED: 02/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.		Applicant(s)	
Office Action Summary	09/417,864		ANDERSSON ET AL.	
	Examiner		Art Unit	
	Keith M. George		2663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *13 October 1999* .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-54* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-54* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *13 October 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)		4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .	
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)		5) ☐ Notice of Informal Patent Application (PTO-152)	
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *5* .		6) ☐ Other: .	

DETAILED ACTION

Information Disclosure Statement

1.   The information disclosure statement filed 23 January 2001 fails to comply with 37 CFR

1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that

portion which caused it to be listed; and all other information or that portion which caused it to

be listed. It has been placed in the application file, but the information referred to therein has not

been considered.

Drawings

2.   This application has been filed with informal drawings which are acceptable for

examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1, 4-6, 8-14, 17-19, 21-26, 29-31, 33-39, 43-46 and 50-53 are rejected under 35

U.S.C. 103(a) as being unpatentable over DeSimone et al., U.S. Patent 6,212,548 (hereinafter

DeSimone).

5.   Referring to claims 1, 13, 14, 26, 38, 39, 46 and 53, the method of managing a virtual

private network according to the applicant is clearly identical to the method of managing an

internet chat session as described by DeSimone. DeSimone teaches that Internet Relay Chat

(IRC) allows two or more users to converse through a "channel" or virtual "chat room" and that

the chat rooms can also be set up as private chat rooms by participants seeking to have private

communications with a selected one or more other participants. DeSimone goes on to teach that

entering a particular chat room is typically effected using a list or menu of currently available

chat rooms (column 1, lines 25-62). DeSimone also teaches in figures 4A, 4B, 4C, 5A, 5B, and

5C, that all users are aware of all other users by the names following "IN ROOM:" (identify all

network devices in the set of network devices). A notify message, "** DAVE ADDED **" is

sent to all devices when a new device is added as seen in figures 5A and 5B (forward a notify

message to each network device in the set of network devices). A join message, "**

WELCOME **", is sent to the new device (forward a join message to the given network device)

as well as a list of all others in the room, "IN ROOM: DAWN, MIKE, DAVE" (including the set

of network device identifiers), as shown in figure 5C. DeSimone teaches all of the above with

the possible exception of receiving a request to join a given private network and storing the

network device identifiers in a network device memory set. However, at the time the invention

was made, it would have been obvious to a person of ordinary skill in the art that a user would

select a room from the list described above and a request would go to a server requesting

permission to enter the room. It would have also been obvious that the names of all those

present in the room are stored in a database. One of ordinary skill in the art would have been

motivated to do this because the list of chat rooms must reside on a server of some type and by

selecting one of the rooms, a request must be sent requesting access to the room. It also would have been obvious to store the names of each member of a chat room in a database in order to forward the names of the current users along to a new user (columns 8-9). Although the method of DeSimone is directed towards an internet chat session and not to a virtual private network, it would be clear to one of ordinary skill in the art to use the teaching of DeSimone in communicating a variety of messages and in communicating mixed-mode messages (column 15, lines 54-63) including messages used to set up a virtual private network.

6.   Referring to claims 4, 12, 17, 25, 29 and 37, DeSimone teaches the method as shown in claims 1, 14 and 26 above where it was stated that entering particular chat rooms is typically effected using a list or menu of currently available chat rooms. By selecting the name of the chat room the request must include an identifier to select the appropriate room.

7.   Referring to claims 5, 18 and 30, DeSimone teaches the method as shown in claims 1, 14 and 26 above and also teaches the pseudo code shown in column 7 which clearly shows the behavior of the system when a new room is created and the chat room is added to the list of active chat rooms.

8.   Referring to claims 6, 19 and 31, DeSimone teaches the method as shown in claims 1, 14 and 26 above and also teaches that the chat application in use is Internet Relay Chat (IRC) which clearly runs on the Internet, which is well known in the art to be a packet based network.

9.   Referring to claims 8, 21 and 33, DeSimone teaches the method as shown in claims 1, 14 and 26 above and also teaches that each user in a conversation has a unique identifier associated with the user. This user identifier may be assigned specifically for the session or may be

persistently associated with the user. Examples include an e-mail address or an Internet Protocol (IP) address (column 5, lines 40-45).

10.   Referring to claims 9, 22, 34, 43 and 50, DeSimone teaches the method as shown in claims 1, 14, 26, 39 and 46 above and also teaches in figures 6A, 6B and 6C the process that occurs when a user leaves the chat room. A message is forwarded, "** MIKE DROPPED **", to each of the remaining members of the chat room. The pseudo code for this process is shown in columns 12-13.

11.   Referring to claims 10, 23, 35, 44 and 51, DeSimone teaches the method as shown in claims 9, 22, 34, 43 and 50 above and also teaches in figure 6B that the user that dropped is no longer connected to the current chat room.

12.   Referring to claims 11, 24, 36 and 45, DeSimone teaches the method as shown in claims 9, 23, 34 and 43 above and also teaches that there is a mechanism present to ensure that a request to leave a chat room from a participant is confirmed and that only the concerned participant is issuing the request (column 13, lines 31-34). Although DeSimone is silent on the specifics of this message, one of ordinary skill in the art would find it obvious to add the list of connected devices to this message to ensure all connections are dropped and that any participant in that chat room can not drop anybody else (column 13, lines 34-35).

13.   Claims 2, 3, 7, 15, 16, 20, 27, 28, 32, 40-42, 47-49 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeSimone as applied to claims 1, 14, 26, 39 and 46 above, and further in view of J. Oikarinen, RFC 1459, Internet Relay Chat Protocol (hereinafter Oikarinen).

14.   Referring to claims 2, 3, 15, 16, 27, 28, 40, 41, 47, 48 and 54, DeSimone teaches the

method as described in claims 1, 14, 26, 39 and 46 above with the possible exception of detailing

exactly how communication is established between an existing chat room and a new user

wishing to join the room. However, both DeSimone and Oikarinen make it very clear that a

communication path is established between the devices. This can easily be seen in 4-6 of

DeSimone and section 4.2.1 of Oikarinen. One of ordinary skill in the art would be motivated to

establish communication between devices that wish to speak to each other in order that they may

speak to each other. At the time the invention was made, it would have been obvious to one of

ordinary skill in the art to have the requesting device connect to the existing network or to have

the existing network connect to the requesting device.

15.   Referring to claims 7, 20, 32, 42 and 49, DeSimone teaches the methods as shown in

claims 1, 14, 26, 39 and 46 above with the possible exception of a method to authenticate the

request to confirm the identity of a network device. Oikarinen teaches a password message for

use in IRC that must be set before any attempt to register the connection is made (section 4.1.1).

At the time the invention was made, it would have been obvious to a person of ordinary skill in

the art to use the password feature of Oikarinen in the system of DeSimone. One of ordinary

skill in the art would have been motivated to do this in order to give some level of security to the

actual connection (Oikarinen, section 4.1).

Conclusion

16.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

    a.   Chen et al., U.S. Patent 6,061,796, teaches a multi-access virtual private network

which provides encryption and authentication services for peer-to-peer communications

and in which registration is carried out by a central gateway server.

    b.   Inala et al., U.S. Patent 6,442,590, teaches a method and apparatus for a site-

sensitive interactive chat network.

    Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Keith M. George whose telephone number is 703-305-6531. The

examiner can normally be reached on M-Th 7:00-4:30, every other F 7:00-3:30.

    If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Chau T. Nguyen can be reached on 703-308-5340. The fax phone numbers for the

organization where this application or proceeding is assigned are 703-872-9314 for regular

communications and 703-872-9314 for After Final communications.

    Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305-4750.

Keith M. George
February 4, 2003
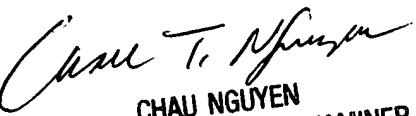
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